

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION
FILE No. 1:19-CV-00272-LCB-LPA

MAXWELL KADEL, et al.,)	
)	
Plaintiffs,)	
)	DEFENDANT NORTH CAROLINA
v.)	DEPARTMENT OF PUBLIC
)	SAFETY'S MOTION FOR AN
JASON FLECK, et al.,)	EXTENSION OF TIME TO
)	RESPOND TO FIRST AMENDED
Defendants.)	COMPLAINT
)	

NOW COMES Defendant North Carolina Department of Public Safety (“NCDPS”), by and through Assistant Attorney General Alan McInnis, and hereby moves for an extension of time to answer the First Amended Complaint [D.E. 75]. In support of this motion, NCDPS says as follows:

1. On March 11, 2019, Plaintiff initiated this action by filing a complaint. [D.E. 1] NCDPS was not initially a party to this action.
2. On March 9, 2021, Plaintiff, with leave of the Court, filed the First Amended Complaint adding NCDPS as a defendant. [D.E. 75]
3. On March 11, 2021, the First Amended Complaint was served on NCDPS by personal delivery of a summons and the First Amended Complaint to Jane Gilchrist, General Counsel for NCDPS thereby making NCDPS’s answer or other response due on April 1, 2021. [D.E. 78]
4. NCDPS’s counsel needs additional time to answer or otherwise respond to the First Amended Complaint.

5. NCDPS's counsel has conferred with Plaintiffs' counsel and Plaintiffs' counsel does not object to this motion.

WHEREFORE Defendant NCDPS respectfully requests that the Court grant an extension of time up to and including April 16, 2021.

Respectfully submitted, this the 1st day of April, 2021.

**JOSHUA H. STEIN
ATTORNEY GENERAL**

/s/ Alan D. McInnes
Alan McInnes
Assistant Attorney General
N.C. State Bar No. 20938
N.C. Department of Justice
Public Safety Section
P. O. Box 629
Raleigh, North Carolina 27602-0629
Telephone: (919) 716-6529
Facsimile: (919) 716-6761
E-mail: amcinnes@ncdoj.gov

CERTIFICATE OF SERVICE

I, Alan McInnes, hereby certify that on this day, I electronically filed **DEFENDANT NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY'S MOTION FOR AN EXTENSION OF TIME TO RESPOND TO FIRST AMENDED COMPLAINT**, with the Clerk of the Court utilizing the CM/ECF system, which will provide electronic notification to all counsel of record in this matter.

This the 1st day of April, 2021.

/s/ Alan D. McInnes
Alan D. McInnes
Assistant Attorney General